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PATENT

Serial No. 09/954,648

Amendment in Reply to Final Office Action mailed on August 11, 2006

REMARKS

The following remarks are being filed in response to the Final Office Action mailed August 11, 2006, which has been reviewed and carefully considered. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-18 and 20 are pending in this application, with claims 1 and 7 being the only independent claims.

In the Office Action, Claims 1-18 and 20 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite due to the limitation "single clicking of an input device to accept the displayed optimized arrangement and double clicking of the input device to cancel the display optimized arrangement" allegedly not being supported by the specification or the original claims. (See, Office Action, page 2, paragraph 5.) The Applicants respectfully submit that these claims are clearly supported by the specification as submitted. For example, the present application on page 3, lines 19-23 clearly states in an illustrative example that (emphasis added) "[i]f the viewer approves of the optimisation, the

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button 20 is pressed once, and the optimised display 24 of Figure 2 will always be provided in future. If the viewer does not like the optimisation, pressing the Optimise button 20 twice cancels the optimisation and the channel order of Figure 1 is reinstated."

Accordingly it is respectfully submitted that Claims 1-18 and 20 are well supported by the specification as filed. However, to further the prosecution of this matter, Claims 1 and 7 are amended herein to clarify what was previously claimed. This amendment to Claims 1 and 7 are not intended to narrow the scope of the previously submitted claims and are merely submitted to clarify the scope of originally submitted Claims 1 and 7. No new matter is presented by the claims as amended and it is respectfully submitted that the present amendment would require no further search since the element as previously provided was already searched as evidenced by the Final Office Action which alleges that "Hong teaches single clicking of an input device to accept and double clicking to cancel." (See, Office Action, page 4, third paragraph.) Further, it is respectfully submitted that the present amendment touches on the merits of the application and was in fact previously provided in substantial part in the Amendment submitted

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on May 31, 2006. Accordingly, entrance and consideration of the amendments are respectfully requested.

It is respectfully submitted that the explanation provided above and the amendment to Claims 1 and 7 overcome the 35 U.S.C. §112, second paragraph rejection. Accordingly, it is respectfully requested that the 35 U.S.C. §112, second paragraph rejection be withdrawn.

In the Office Action, claims 1-18 and 20 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,707,476 (Hochstedler) in view of U.S. Patent No. 6,400,996 (Hoffberg), in view of U.S. Patent No. 6,593,938 (Sakata) further in view of U.S. Patent No. 7,079,166 (Hong). It is respectfully submitted that claims 1-18 and 20 are patentable over Hochstedler, Hoffberg, Sakata and Hong for at least the following reasons.

As correctly noted in the Office Action on page 4, paragraph 2, Hochstedler, Hoffberg and Sakata do not teach or suggest single clicking to accept and clicking of the input device twice to cancel. Hong is cited in an attempt to remedy these deficiencies in Hochstedler, Hoffberg and Sakata, however, it is respectfully submitted that reliance on Hong is misplaced.

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Hong merely describes an operation shown in FIG. 8 (misidentified as FIG. 7) wherein a single click cycles through elements provided on a particular tab (e.g., see, FIG. 4). As shown in FIG. 8, a "single click" at step 571, results in "Stay at the Setup tab" (step 573) and "Paper Size Change to the next available option" (step 575). This is described in the specification of Hong in Col. 5, lines 52-61. As is made clear by Hong (emphasis added) "[t]he end user can then cycle through the different paper sizes by continuing to single click on the paper sizes and repeating steps S71, S73, S75, and S77." See, Hong, Col. 6, lines 1-3.)

This clearly is not "single clicking of an input device to accept the displayed optimized arrangement" as required by claim 1 and as substantially required by claim 7.

Further, Hong further shows that double clicking is the act provided for selection that results in a change in the displayed screen to a further screen related to the selection (see, Hong, Col. 6, lines 4-7). As is made clear in Hong (emphasis added), "a user can cycle through the different settings until he or she reaches a desired setting, and the user can then indicate the

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desired setting, for example by 'double clicking' on the desired setting." (See, Hong, Col. 5, lines 26-29.)

Again, this clearly is not "clicking of the input device twice to cancel the displayed optimized arrangement" as required by claim 1 and as substantially required by claim 7. As should now be clear, in fact clicking twice in Hong is a selection of the provided option and accordingly, Hong teaches away from the claims as provided in the present patent application.

It is respectfully submitted that these features are nowhere disclosed or suggested in Hochstedler, Hoffberg, Sakata and Hong.

Accordingly, it is respectfully submitted that independent claims 1 and 7 are allowable, and allowance thereof is respectfully requested. Further, it is respectfully submitted that claims 2-6, 8-18 and 20 should also be allowed at least based on their dependence from independent claims 1 and 7.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to

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submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to Applicant's representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 

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